

UNITED STATE DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
CELIA CAMPBELL,

Plaintiff,

-against-

GUSTAVO VILLALBA-CORONADO and  
FINKLE N. FREIGHT & LOGISTICS,

Defendants.  
-----X

08 CIV 7411 (LAK)

PROOF OF SERVICE  
OF NOTICE AND  
PETITION FOR REMOVAL

**PLEASE TAKE NOTICE** that attached hereto is the original, stamped copy of the Notice and Petition for Removal and proofs of service of the Notice and Petition for Removal as follows:

1. **SERVICE ON SUPREME COURT, BRONX COUNTY**

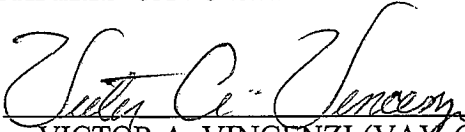
Attached as **Exhibit "A"** is a copy of the affidavit of service by mail of the Notice and Petition for Removal with exhibits, the Civil Cover Sheet, and letter dated August 22, 2008 to the Clerk of the Supreme Court, Bronx County.

2. **SERVICE ON PLAINTIFF'S COUNSEL**

Attached as **Exhibit "B"** is a copy of the affidavit of service by mail of the Notice and Petition for Removal with exhibits, Civil Cover Sheet and letter dated August 22, 2008 to plaintiff's counsel with the Individual Practice Rules for District Judge Lewis A. Kaplan.

Dated: New York, New York  
August 26, 2008

LITCHFIELD CAVO LLP

By:   
VICTOR A. VINCENZI (VAX-6652)

420 Lexington Avenue, Suite 2104  
New York, NY 10170  
(212) 434-0100  
*Attorneys for Defendants*

# **EXHIBIT A**

**LITCHFIELD**  
**CAVO** LLP  
Attorneys at Law

WRITER'S ADDRESS:  
420 Lexington Avenue  
Suite 2104  
New York, NY 10170  
(212) 818-0289  
(212) 434-0105 fax  
email: [vincenzi@litchfieldcavo.com](mailto:vincenzi@litchfieldcavo.com)

August 22, 2008

Clerk  
Supreme Court, Bronx County  
851 Grand Concourse  
Bronx, NY 10451

RE: CAMPBELL v. VILLALBA-CORONADO, et ano.  
S/Bronx Index #: 303120/08  
United States District Court/Southern District of New York Docket No.: 08 CIV 7411 (LAK)  
Our Ref.: 3129-48

Dear Sir/Madam:

Please find enclosed herewith a copy of the Notice of Filing of Petition for Removal of the above-referenced matter to the United States District Court for the Southern District of New York, the accompanying Verified Petition for Removal and Civil Cover Sheet. Please file this document accordingly.

Should you have any questions regarding the foregoing, please call.

Very truly yours,

  
VICTOR A. VINCENZI

VAV:rl  
Enc.

**AFFIDAVIT OF SERVICE**

STATE OF NEW YORK     )  
  s.s.:  
COUNTY OF NEW YORK    )


ROBYN LORENZO, being duly sworn, deposes and says:

That deponent is not a party to the within action, is over 18 years of age and resides in Staten Island, New York.

That on the 22<sup>nd</sup> day of August, 2008, deponent served the within **LETTER TO CLERK OF THE SUPREME COURT OF THE STATE OF NEW YORK, COUNTY OF BRONX DATED AUGUST 22, 2008, CIVIL COVER SHEET, NOTICE OF FILING PETITION OF REMOVAL, VERIFIED PETITION OF REMOVAL** upon:

Clerk  
Supreme Court, Bronx County  
851 Grand Concourse  
Bronx, NY 10451

the addresses designated by said attorneys and said parties for that purpose by depositing a true copy of same enclosed in a post paid properly addressed depository, under the exclusive care and custody of United States Post Office Department within the State of New York.

  
\_\_\_\_\_  
ROBYN LORENZO

Sworn to before me this  
22<sup>nd</sup> day of August, 2008

  
\_\_\_\_\_  
NOTARY PUBLIC

VICTOR A. VINCENZI  
Notary Public, State of New York  
No. 02VI4921149  
Qualified in Dutchess County  
Commission Expires Jan 25, 2012  
1/21/12  
2010

# **EXHIBIT B**

**LITCHFIELD**  
**CAVO** LLP  
Attorneys at Law

**WRITER'S ADDRESS:**  
420 Lexington Avenue  
Suite 2104  
New York, NY 10170  
(212) 818-0289  
(212) 434-0105 fax  
email: [vincenzi@litchfieldcavo.com](mailto:vincenzi@litchfieldcavo.com)

August 22, 2008

Law Office of Kenneth A. LaBarca  
305 Broadway, Suite 805  
New York, NY 10007

RE: CAMPBELL v. VILLALBA-CORONADO, et ano.  
United States District Court/Southern District of New York Docket No.: 08 CIV 7411 (LAK)  
Our Ref.: 3129-48

Counselors:

Please find enclosed herewith a copy of the Notice of Filing of Petition for Removal to the United States District Court for the Southern District of New York, the accompanying Verified Petition for Removal, Civil Cover Sheet and Rule 7.1 Statement. Additionally, please find a copy of the Individual Rules for District Judge Lewis A. Kaplan.

Should you have any questions regarding the foregoing, please call.

Very truly yours,



VICTOR A. VINCENZI

VAV:rl  
Enc.

**AFFIDAVIT OF SERVICE**

STATE OF NEW YORK     )  
  s.s.:  
COUNTY OF NEW YORK    )


ROBYN LORENZO, being duly sworn, deposes and says:

That deponent is not a party to the within action, is over 18 years of age and resides in Staten Island, New York.

That on the 22<sup>nd</sup> day of August, 2008, deponent served the within **LETTER TO PLAINTIFF'S ATTORNEYS DATED AUGUST 22, 2008, CIVIL COVER SHEET, NOTICE OF FILING PETITION OF REMOVAL, VERIFIED PETITION OF REMOVAL, INDIVIDUAL RULES FOR DISTRICT JUDGE LEWIS A. KAPLAN** upon:

LAW OFFICE OF KENNETH A. LABARCA  
305 Broadway, Suite 805  
New York, NY 10007  
(212) 962-2211  
*Attorneys for Plaintiff*

the addresses designated by said attorneys and said parties for that purpose by depositing a true copy of same enclosed in a post paid properly addressed depository, under the exclusive care and custody of United States Post Office Department within the State of New York.

  
\_\_\_\_\_  
ROBYN LORENZO

Sworn to before me this  
22<sup>nd</sup> day of August, 2008

  
\_\_\_\_\_  
NOTARY PUBLIC

VICTOR A. VINCENZI  
Notary Public, State of New York  
No. 02V14921149  
Qualified in Dutchess County  
Commission Expires Jan 25, 2010  
2010